

REMARKS

Please reconsider the application in view of the following remarks. Claims 1-20 remain in this application. Claims 1 and 11 are independent claims. All other claims depend from claims 1 and 11. Applicants have amended claims 1, 4, 5, 8, 9, 11, 14, 15, 18 and 19 to better define and distinguish Applicants' invention. Applicants have canceled claims 3, 7, 13 and 17. The limitations of these canceled claims have been incorporated into the appropriate independent claims.

Rejection of Claims

Claims 1-6 and 10-16 are re rejected under 35 U.S.C. 102(e) as being anticipated by Golasinski et al (US 2003/0097332).

Claims 1-7 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golasinski et al. further in view of Martin, Hr. et al (US 2001/0001148).

Applicants have amended claim 1 to include the electronic plan or manual option feature as contained in the original claim 7. The manual feature is not taught, discussed, mentioned or suggested in Golasinski. The Examiner states manual payment plans are well known and conventional in the art, Examiner does not cite a specific reference for this rejection of this feature as contained in the original claim 7 and 17. Section 707.05(2) of the MPEP states that when a rejection is based on facts within the personal knowledge of an employee of the Office, the data shall be specific as possible and the reference must be supported when called for by the Applicant.

As previously mentioned, Applicant has canceled claims 3, 7, 13 and 17. However, these limitations have been incorporated in claims 1 and 11. In accordance with Section 707.05(2) of the MPEP, Applicant respectfully requests that Examiner support this assertion that the manual feature as described in the claims is well known and conventional in the art.

Applicants have amended the claims in this application to further clarify the present invention and distinguish the present invention from the cited reference in the office letter mailed August 13, 2004. Applicants believe this reply to be fully responsive to all outstanding issues and place this application in condition for allowance. Applicants

Appl. No. 10/765,774
Amdt. dated December 13, 2004
Reply to Office action of August 13, 2004

believe that the amendments in this response include subject matter contained in the application as filed and that no new matter has been added by this response. The amendments address rejections raised by the Examiner. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned at the telephone number listed below.

The stated reply date to the Office letter mailed on August 13, 2004 was November 13, 2004. However, under 17 CFR 1.7, this date fell on a Saturday and the first succeeding day after that date is December 13, 2004. Therefore Applicants submit that this response filed on December 13, 2004 is filed within the one-month extension. No new fees are believed to be due. However, if any such fees are due, please apply any charges not covered, or any credits, to Deposit Account 09-4447 (Reference Number ASU920030902US1).

Respectfully Submitted,



Darcell Walker
Reg. No. 34,945
9301 Southwest Freeway, Suite 250
Houston, Texas 77074
713-772-1255
December 13, 2004